

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

WONDIYRAD KABEDE, No. C-09-0323 TEH (PR)

Plaintiff,

v.

PELICAN BAY STATE PRISON,

ORDER OF DISMISSAL

Defendant.

Plaintiff is a California prisoner proceeding pro se who
is incarcerated at Pelican Bay State Prison.

On January 26, 2009 this court received a letter from Plaintiff regarding case C-07-3656 TEH (PR), a pending civil rights action under 42 U.S.C. § 1983 claiming a violation of Plaintiff's Eighth Amendment right to be free from cruel and unusual punishment. The letter was inadvertently filed as a new action and assigned case number C-09-0323 TEH (PR).

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1 The clerk is directed to close case C-09-0323 TEH (PR) and
2 to file a copy of the letter in Plaintiff's pending matter, C-07-
3 3656 TEH (PR).

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6 IT IS SO ORDERED.

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8 DATED 02/26/09



9 THELTON E. HENDERSON
10 United States District Judge

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